



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,117	09/28/2005	Giovanni Maria Carlomagno	021500-141	4346

21839 7590 11/24/2010  
BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
----------

SZEWCZYK, CYNTHIA

ART UNIT	PAPER NUMBER
----------	--------------

1741

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

11/24/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
offserv@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/551,117	<b>Applicant(s)</b> CARLOMAGNO, GIOVANNI MARIA	
	<b>Examiner</b> CYNTHIA SZEWCZYK	<b>Art Unit</b> 1741	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.  
     4a) Of the above claim(s) 13-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-12 and 19-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 21 recites the limitation "the centerline" in lines 22 and 25. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-6, 8, 9, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over FRANK et al. (US 5,507,852) in view of BLACK (US 2,921,411) and GARDON (US 3,457,057).

FRANK teaches an apparatus for tempering a bent glass sheet, comprising means for conveying the bent glass sheet (col. 2, lines 41-42) and a pair of blastheads (42 and 44 in figure 1). The blastheads comprise upper (42 in figure 1) and lower blastheads (44 in figure 1), wherein each blasthead comprises a plurality of spaced elongated plenums (52 in figure 2) and wherein the plenums extend transversely to the direction of conveyance of the bent glass sheet (see figure 2). The plenums contain an

Art Unit: 1741

array of quench nozzles (58 in figure 2). Figure 2 shows that the nozzle bars contain two rows of nozzles (holes in figure); however, FRANK also discloses that the plenum may contain one row of individual nozzles extending from the plenum (col. 3 lines 56-59). Figure 2 shows that the quench nozzles of each plenum are mutually inclined to provide diverging jets of quench gas and that each array of quench nozzles is curved in at least one direction. Figure 2 shows space between each plenum, which would provide side access between plenums. FRANK discloses that the nozzle bar has nozzle holes that extend from the surface (58) through the plenum (55) to communicate with the air openings (51) (col. 3 lines 51-56); however, FRANK does not explicitly state that the nozzle bars having a length exceeding their diameter.

BLACK teaches an apparatus for chilling bent glass. BLACK teaches that the apparatus comprises nozzle bars (figure 10). Figure 11 shows that the nozzles are connected to an air source having a length exceeding their diameter. It would have been obvious to one of ordinary skill in the art that the nozzle bar of FRANK could have had a similar construction because BLACK discloses that this set up allows for different inclination of the nozzles and may be adjusted based on the curvature of the glass (co. 6 lines 56-60). FRANK and modified by BLACK is silent to connecting surfaces located between the plenums being inclined downwards from a centerline.

GARDON teaches an apparatus for tempering glass sheets. GARDON teaches that the apparatus comprises a plurality of spaced elongated plenums (28, 29, and 30 in figures 1 and 4) connected to each other by connecting surfaces (78, 80 in figures 1 and 4) that are positioned between the successive plenums. It would have been obvious to

Art Unit: 1741

one of ordinary skill in the art to incorporate the connecting surfaces of GARDON into the apparatus of modified FRANK because GARDON teaches that the connecting surfaces provide the advantage of sliding any broken pieces of glass to the side of the conveyor so that they do not interfere with the operation of the apparatus (col. 3 lines 73-75).

Regarding claim 2, figure 2 of FRANK shows that the array of quench nozzles (58) comprises rows of quench nozzles extending along lines which are curved in the direction of elongation of the plenums.

Regarding claim 3, FRANK discloses that the rows of quench nozzles are curved to match the curvature of the bent glass sheet and are curved in a direction that is the same as the bent glass sheet (col. 3, lines 59-63).

Regarding claim 4, FRANK discloses that the plenums may be arranged longitudinally, in the direction of conveyance (col. 4 lines 55-57).

Regarding claim 5, see the discussion of claim 3 above.

Regarding claim 6, BLACK discloses that the nozzles may be arranged so that they are movable towards and away from each other to adjust for the curvature of the glass (col. 6 lines 57-60).

Regarding claim 8, see the discussion of claim 7. The arrangement of the upper blast heads would be a mirror image of the bottom blast heads, therefore if the tapering in the bottom blast heads were in a direction away from the center line, the tapering in the top blast heads would be in a direction towards the centerline.

Art Unit: 1741

Regarding claim 9, figure 2 of FRANK shows that the quench nozzles are formed as bores in a nozzle bar (58), and figure 2 also shows that the outlets of the nozzles are level with a surface of the bar.

Regarding claim 21, see the discussion of claim 1 as it pertains to the lower blast head.

6. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over FRANK et al. (US 5,507,852) in view of BLACK (US 2,921,411) and GARDON (US 3,457,057) as applied to claims 1-6, 8, 9, and 21 above, and further in view of MASUHIDE (JP 2000-247633).

FRANK as modified by BLACK and GARDON teaches an apparatus for tempering a bent glass sheet with air quenching. Modified FRANK is silent to the shape of the nozzle bores.

MASUHIDE teaches a bed structure for providing glass sheets with an air support. Figure 3 of MASUHIDE shows that the holes are part cylindrical (20) and conical (23). It would have been obvious to one of ordinary skill in the art that the bore of modified FRANK could have had the shape of the air discharge hole of MASUHIDE because modified FRANK simply requires that the bores supply air through openings (col. 3, lines 45-48), which MASUHIDE would accomplish.

Regarding claim 11, figure 2 of MASUHIDE shows that the length of the cylindrical part of the bore (20) is greater than the length of the conical part (23).

Art Unit: 1741

Regarding claim 12, MASUHIDE teaches that the material of the bores, and in turn the bar, may be a heat resistant ceramic (trans. para. 0024).

7. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over FRANK et al. (US 5,507,852) in view of BLACK (US 2,921,411) and GARDON (US 3,457,057) as applied to claims 1-6, 8, 9, and 21 above, and further in view of FUNK et al. (US 2006/0277947 A1).

Modified FRANK teaches an apparatus for tempering a bent glass sheet with air quenching. Modified FRANK is silent to the shape of the nozzle bores.

FUNK teaches a bed structure for providing glass sheets with an air support. Figure 5 of FUNK shows that the holes are part cylindrical (18) and conical (16). It would have been obvious to one of ordinary skill in the art that the bore of modified FRANK could have had the shape of the air discharge hole of FUNK because modified FRANK simply requires that the bores supply air through openings (col. 3, lines 45-48), which FUNK would accomplish.

Regarding claim 11, figure 5 of FUNK shows that the length of the cylindrical part of the bore (18) is greater than the length of the conical part (16).

Regarding claim 12, FUNK teaches that the material of the surface, and in turn the bar, may be a ceramic (para. 0042).

8. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over FRANK et al. (US 5,507,852) in view of BLACK (US 2,921,411) and GARDON (US 3,457,057)

Art Unit: 1741

as applied to claims 1-6, 8, 9, and 21 above, and further in view of RHONEHOUSE (US 4,297,121).

FRANK as modified by BLACK and GARDON teaches an apparatus for tempering a bent glass sheet with air quenching using nozzle bars. Modified FRANK is silent to the use of polytetrafluoroethene.

RHONEHOUSE teaches that Teflon (also known as polytetrafluoroethene) may be used in glass manufacturing processes because it is heat resistant and it reduces wear on glass manufacturing apparatuses (col. 5, lines 14-20). It would have been obvious to one of ordinary skill in the art that Teflon could have been used as the material of the bar because it is a heat-resistant material able to withstand temperatures of heated glass.

9. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over FRANK et al. (US 5,507,852) in view of BLACK (US 2,921,411) and GARDON (US 3,457,057) as applied to claims 1-6, 8, 9, and 21 above, and further in view of MCMASTER et al. (US 4,515,622).

FRANK as modified by BLACK and GARDON teaches an apparatus for tempering a bent glass sheet with air quenching. Modified FRANK is silent to the arrangement of the nozzle outlets of the nozzle bar.

MCMASTER teaches a glass sheet quench with oppositely angled jets. MCMASTER teaches that the quench means may be a nozzle bar with holes provided for discharging quenching gas (col. 3 lines 23-27). MCMASTER teaches that the holes



Art Unit: 1741

extend in opposite angular directions (col. 3 lines 35-38). MCMASTER teaches that this is advantageous to provide a staggered arrangement of nozzles in order to provide a uniform pattern on the glass sheet (col. 4 lines 20-23) and also reduces pressure buildup of spent quenching gas and provides an energy efficient quench (col. 2 lines 28-33). It would have been obvious to one of ordinary skill in the art to use a staggered nozzle pattern in the nozzle bar of modified FRANK discloses that it is important to accurately control the gas flow during quenching (col. 4 lines 58-64) which MCMASTER would help accomplish.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-6 and 8-21 have been considered but are moot in view of the new ground(s) of rejection. GARDON teaches the new limitation of connecting surfaces positioned between and connecting the successive plenums and being inclined downwards away from a centerline that is parallel to the direction of conveyance.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CYNTHIA SZEWCZYK whose telephone number is (571)270-5130. The examiner can normally be reached on Monday through Friday 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Daniels can be reached on (571) 272-2450. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1741

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CS

/Matthew J. Daniels/

Supervisory Patent Examiner, Art Unit 1741